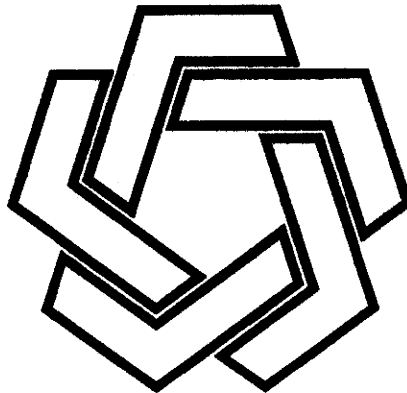


STATE DECISION PACKAGE

**Deer Creek Mine
Utah Power & Light Company**

FIVE-YEAR RENEWAL



**STATE OF UTAH
Department of Natural Resources
Division of Oil, Gas & Mining**

FEBRUARY 7, 1991

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING

This permit, UT-0016, is issued for the United States of America by the Office of Surface Mining (OSM) to

Utah Power and Light Company
P.O. Box 899
Salt Lake City, Utah 84110

for the Deer Creek Mine. Utah Power and Light Company is the lessee of Federal coal leases SL-064607-064621, SL-064900, U-1358, SL-070645, U-02292, U-084923, U-084924, U-083066, U-040151, U-044025, U-014275, U-024319, and U-47979.

Sec. 1 STATUTES AND REGULATIONS - This permit is issued pursuant to the Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. 1201 et seq., hereafter referred to as SMCRA, and the Federal coal leases issued pursuant to the Mineral Leasing Act of 1920, as amended, 30 U.S.C. 181 et seq., the Federal Coal Leasing Amendments Act of 1976, as amended 30 U.S.C. 201 et seq. and in the case of acquired lands, the Mineral Leasing Act for Acquired Lands of 1947, as amended, 30 U.S.C. 351 et seq. This permit is also subject to all regulations of the Secretary of the Interior including, but not limited to, 30 CFR Chapter VII and 43 CFR Part 3400, and to all regulations of the Secretary of Energy promulgated pursuant to Section 302 of the Department of Energy Organization Act of 1977, 42 U.S.C. 7152, which are now in force or, except as expressly limited herein, hereafter in force, and all such regulations are made a part hereof.

Sec. 2 The permittee is authorized to conduct surface coal mining and reclamation operations on Federal lands, as well as on such other lands affecting or affected by those operations on Federal lands situated in the State of Utah, Emery County, and located within:

Township 16 South, Range 7 East, Salt Lake Baseline and Meridian:

Sec. 27, SW1/4.

Sec. 28, SE1/4, E1/2 SW1/4.

Sec. 33, E1/2, E1/2 W1/2, SW1/4 SW1/4.

Sec. 34, W1/2, SE 1/4, S1/2 NE 1/4.

Township 17 South, Range 7 East, Salt Lake Baseline and Meridian:

Sec. 2, S1/2, Lots 1-7 and 10-12

Sec. 3, W1/2, W1/2 NE1/4, NE1/4 NE1/4, S1/2 SE1/4.

Sec. 4 through 10, all.

Sec. 11, N1/2 NW1/4, W1/2 SW1/4, approximately.

Township 17 South, Range 7 East, Salt Lake Baseline and Meridian Continued:

Sec. 14, W1/2 W1/2, approximately.

Sec. 15 through 22, all.

Sec. 27, N1/2 N1/2, SE1/4 NE1/4, approximately.

Sec. 28, N1/2 N1/2.

Sec. 29, N1/2 N1/2.

Sec. 30, N1/2 N1/2, SW1/4 NE1/4, S1/2 NW1/4, NW1/4 SW1/4, N1/2 SW1/4 approximately.

Township 17 South, Range 6 East, Salt Lake Baseline and Meridian:

Sec. 1, E1/2, E1/2 W1/2.

Sec. 12, E1/2, E1/2 W1/2.

Sec. 13, E1/2, E1/2 W1/2.

Sec. 24, E1/2, E1/2 W1/2.

Sec. 25, N1/2 NE1/4.

and shown on Map P-1, page 8 of the permit; and to conduct surface coal mining and reclamation operations on the foregoing described property subject to the conditions of the leases and the approved mining plan, and all other applicable conditions, laws, and regulations.

- Sec. 3 The term of this permit is 5 years from the date of issuance, except that this permit will terminate if the permittee has not begun the surface coal mining and reclamation operations covered herein within 3 years of the date of permit issuance.
- Sec. 4 The permit rights may not be transferred, assigned, or sold without the approval of the Director, OSM. Request for transfer, assignment, or sale of permit rights must be done in accordance with 30 CFR 740.13(e) and UMC 788.17.
- Sec. 5 The permittee shall allow the authorized representatives of the Secretary, and the Utah Division of Oil, Gas and Mining, including but not limited to inspectors and fee compliance officers, without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay to:
- a. Have the rights-of-entry provided for in 30 CFR 842.13 and UMC 842.13; and,
 - b. Be accompanied by a private person for the purpose of conducting an inspection in accordance with 30 CFR 842.12 and UMC 840.15, when the inspection is in response to an alleged violation reported by the private person.



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangarter

Governor

Dee C. Hansen

Executive Director

Dianne R. Nielson, Ph.D.

Division Director

355 West North Temple

3 Triad Center, Suite 350

Salt Lake City, Utah 84180-1203

801-538-5340

September 11, 1992

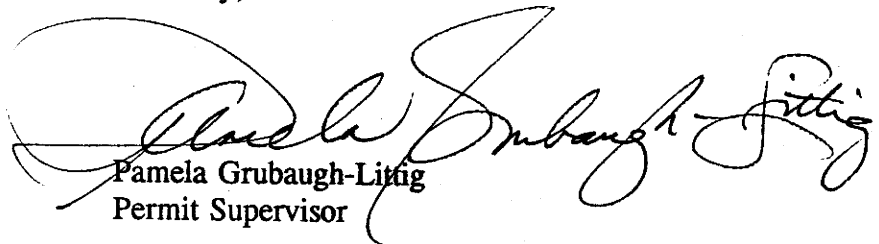
Mr. Val Payne, Sr. Environmental Engineer
PacifiCorp Electric Operations
P.O. Box 1005
Huntington, Utah 84528

Dear Mr. Payne:

Re: Updated and Reformatted Plan, PacifiCorp, Deer Creek Mine, ACT/015/018-92E,
Folder #3, Emery County, Utah

The Deer Creek Mining and Reclamation plan that was submitted in the reformatted format has been reviewed and is approved. The old, approved and successively renewed mining and reclamation plan was reformatted and a side-by-side review of this updated, reformatted plan was completed September 4, 1992 with no substantive changes found. The original reformatted information was available for public notice during the permit renewal process.

Sincerely,



Pamela Grubaugh-Littig
Permit Supervisor

pgl

PACIFIC POWER • UTAH POWER

324 South State
P.O. Box 26128
Salt Lake City, Utah 84126-0128

PACIFICORP
ELECTRIC OPERATIONS GROUP

*2-21-91 orig file ACT/015/018
cc P. Grubbaugh-Littig*

RECEIVED
FEB 20 1991

February 15, 1991

DIVISION OF
OIL, GAS & MINING

Dr. Diane R. Nielson
Division Director
Utah Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, UT 84180-1203

Re: Successive Five Year Permit Renewal, Utah Power & Light
Company (PacifiCorp Electric Operations), Deer Creek
Mine, ACT/015/018, Folder No. 3, Emery County, Utah

Dear Dr. Nielson:

Enclosed is one signed copy of the Findings and Five-Year
Permit Renewal for the Deer Creek Mine as you requested.

Sincerely,

J. Blake Webster

J. Blake Webster
Permitting Administrator

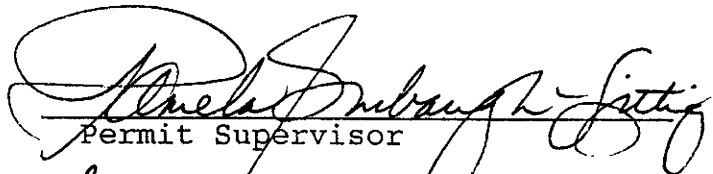
cc: Val Payne w/attachment
Scott Child w/attachment
Bart Hyita

FINDINGS
FIVE-YEAR RENEWAL
Utah Power and Light Company
Deer Creek Mine
ACT/015/018
Emery County, Utah
February 8, 1991

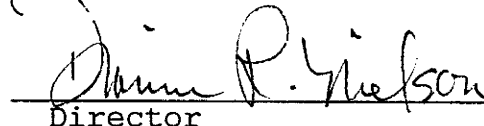
RECEIVED
FEB 20 1991

DIVISION OF
OIL, GAS & MINING

1. The terms and conditions of the existing permit are being satisfactorily met. (R614-303-233.110)
2. The present coal mining and reclamation operations are in compliance with the environmental protection standards of the State Program. (R614-303-233.120)
3. The requested renewal does not substantially jeopardize the operator's continuing ability to comply with the State Program on existing permit areas. (R614-303-233.130)
4. The operator has provided evidence of having liability insurance. (R614-303-233.140) (Policy Number X0296A189, Associated Electric and Gas Insurance Services Limited)
5. The operator has provided evidence that a performance bond is in effect for the operation and will continue in full force and effect for the proposed period of renewal. (R614-303-233.150) (Surety Bond #927-21-58 posted with American Casualty Company of Reading, Pennsylvania in the amount of \$1,724,000)


Permit Supervisor


Associate Director


Director

FEDERAL

PERMIT
Permit Number ACT/015/018

February 8, 1991

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
(801) 538-5340

This permit, ACT/015/018, is issued for the state of Utah by the Utah Division of Oil, Gas and Mining (Division) to:

Utah Power and Light Company
324 South State Street
P.O. Box 26128
Salt Lake City, Utah 84126-0128

for the Deer Creek Mine. A Surety Bond is filed with the Division in the amount of \$1,724,000, payable to the State of Utah, Division of Oil, Gas and Mining and the Office of Surface Mining Reclamation and Enforcement (OSM). The Division must receive a copy of this permit signed and dated by the permittee.

Sec. 1 STATUTES AND REGULATIONS - This permit is issued pursuant to the Utah Coal Mining and Reclamation Act of 1979, Utah Code Annotated (UCA) 40-10-1 et seq, hereafter referred to as the Act.

Sec. 2 PERMIT AREA - The permittee is authorized to conduct underground coal mining activities on the following described lands (as shown on the map appended as Attachment A) within the permit area at the Deer Creek Mine, situated in the state of Utah, Emery County:

The area to be mined is contained on the USGS 7.5-minute "Red Point", "Rilda" and "Mahogany Point" quadrangle maps. The approximately 14,500 acres contained in the current permit area involve all or part of the following federal and fee coal leases:

Lease No. SL-064607-064621
Issued to Clara Howard Miller 10/4/46
Township 17 South, Range 7 East, SLM, Utah
Containing 613.92 acres

Section 2: Lots 2, 5, 6, 7, 10, 11 and 12 and SW1/4
Section 3: SE1/4 SE1/4
Section 10: NE1/4

FEB 27 1991

Lease No. SL-064900

Issued to Cyrus Wilberg 2/3/45

Township 17 South, Range 7 East, SLM, Utah

Containing 160 acres

Section 22: SE1/4 SW1/4, SW1/4 SE1/4, NE1/4 SW1/4, NW1/4 SE1/4

Lease No. U-1358

Issued to Castle Valley Mining Co. 8/1/67

Township 17 South, Range 7 East, SLM, Utah

Containing 320 acres

Section 22: S1/2 NW1/4, W1/2 SW1/4, E1/2 SE1/4

Section 27: E1/2 NE1/4

Lease No. SL-070645, U-02292

Issued to Clara Howard Miller 4/1/52

Township 17 South, Range 7 East, SLM, Utah

Containing 2560 acres

Section 4: SW1/4 SE1/4, S1/2 SW1/4

Section 5: SE1/4 SW1/4, S1/2 SE1/4

Section 8: E1/2, E1/2 W1/2

Section 9: All

Section 10: W1/2

Section 15: N1/2

Section 16: N1/2

Section 17: NE1/4, E1/2 NW1/4

Lease No. U-084923

Issued to Malcolm N. McKinnon 8/1/64

Township 17 South, Range 7 East, SLM, Utah

Containing 2252.42 acres

Section 4: Lots 2, 3, 4, 5, 6, 7, 10, 11, 12, NW1/4 SE1/4, N1/2 SW1/4

Section 5: Lots 1 thru 12, N1/2 S1/2, SW1/4 SW1/4

Section 6: Lots 1 thru 11, SE1/4

Section 7: Lots 1 thru 4, E1/2

Section 8: W1/2 W1/2

Section 18: Lots 1 and 2, N1/2

Section 17: W1/2 NW1/4

Lease No. U-084924

Issued to Malcolm N. McKinnon 8/1/64

Township 17 South, Range 6 East, SLM, Utah

Containing 1211.48 acres

Section 1: Lots 1, 2, 3, S1/2 NE1/4, SE1/4 NW1/4, E1/2 SW1/4, SE1/4

Section 12: E1/2, E1/2 W1/2

Section 13: NE1/4, E1/2 NW1/4

Lease No. U-083066

Issued to Cooperative Security Corp. 3/1/62

Township 17 South, Range 6 East, SLM, Utah

Containing 2485 acres

Section 13: E1/2 SW1/4, SE1/4

Section 24: E1/2 W1/2, E1/2

Section 25: N1/2 NE1/4

Township 17 South, Range 7 East, SLM, Utah

Section 17: SW1/4, W1/2 SE1/4

Section 18: Lots 3 and 4, SE1/4

Section 19: Lots 1, 2, 3, 4, E1/2

Section 20: W1/2, W1/2 E1/2

Section 29: NW1/4 NE1/4, N1/2 NW1/4

Section 30: Lots 1, 2, 3, N1/2 NE1/4, SW1/4 NE1/4, NW1/4 SE1/4

Lease No. U-040151

Issued to Cooperative Security Corp. 3/1/62

Township 17 South, Range 7 East, SLM, Utah

Containing 1720 acres

Section 15: SW1/4

Section 16: S1/2

Section 17: E1/2 SE1/4

Section 20: E1/2 E1/2

Section 21: All

Section 22: N1/2 NW1/4

Section 27: N1/2 NW1/4

Section 28: N1/2 N1/2

Section 29: NE1/4 NE1/4

Lease No. U-044025
Issued to Cooperative Security Corp. 8/1/60
Township 17 South, Range 7 East, SLM, Utah
Containing 40 acres
Section 27: NW1/4 NE1/4

Lease No. U-024319
Issued to Huntington Corp. 5/1/60
Township 16 South, Range 7 East, SLM, Utah
Containing 1040 acres
Section 27: SW1/4
Section 28: SE1/4
Section 33: E1/2, E1/2 NW1/4, NE1/4 SW1/4, S1/2 SW1/4
Section 34: NW1/4, NW1/4 SW1/4

Lease No. U-014275
Issued to John Helco 10/1/55
Township 16 South, Range 7 East, SLM, Utah
Containing 80 acres
Section 28: E1/2 SW1/4

Lease No. U-47979
Issued to Utah Power & Light Co. 10/1/81
Township 16 South, Range 7 East, SLM, Utah
Containing 1,063.38 acres, more or less
Section 34: S1/2 NE1/4, NE1/4 SW1/4, S1/2 SW1/4, SE1/4
Township 17 South, Range 7 East, SLM, Utah
Section 3: Lots 1 thru 8, 10 thru 12, SW1/4, SW1/4 SE1/4
Section 4: Lots 1, 8, 9, E1/2 SE1/4

OWNERS OF COAL TO BE MINED OTHER THAN THE UNITED STATES

The Estate of Malcom McKinnon
Zions First National Bank, Trustee, Salt Lake City, Utah 84111
Township 17 South, Range 7 East, SLM, Utah
Section 10: SE1/4
Section 11: W1/2 W1/2, NE1/4 NW1/4
Section 14: W1/2 NW1/4

Cooperative Security Corp.
115 East South Temple, Salt Lake City, Utah 84111
Township 17 South, Range 7 East, SLM, Utah
Section 15: SE1/4
Section 22: NE1/4

Also:

Beginning at the SE corner of NE1/4 SE1/4 Section 25, T17S, R6E, SLM,
thence North 160 rods, West 116 rods to center line of Cottonwood Creek;
thence southerly along center line of said creek to a point 84 rods West of
the beginning; thence East 84 rods to the beginning.

The above listed surface rights and coal owned or leased by PacifiCorp Electric
Operations, successor in interest to Utah Power & Light Company.

PacifiCorp Electric Operations
324 South State, PO Box 26128, Salt Lake City, Utah 84126-0128
Township 17 South, Range 7 East, SLM, Utah
Section 14: SW1/4 (West of the Deer Creek Fault)

ADDITIONAL LANDS TO BE AFFECTED BY MINING

Township 17 South, Range 7 East, SLM, Utah
State of Utah Special Use Lease Agreement No. 284 utilized for conveyor and
power line right-of-ways located in the southeast quarter of Section 2

Township 17 South, Range 8 East, SLM, Utah
PacifiCorp fee land (successor to Utah Power & Light Company) utilized for a
Waste Rock Disposal Site located within Lots 4 and 5 of Section 5 and Lot 1
and the Southeast quarter of the Northeast quarter of Section 6

This legal description is for the permit area (as shown on Attachment A) of
the Deer Creek Mine. The permittee is authorized to conduct underground
coal mining activities and related surface activities on the foregoing
described property subject to the conditions of all applicable conditions, laws
and regulations.

Sec. 3 COMPLIANCE - The permittee will comply with the terms and conditions of
the permit, all applicable performance standards and requirements of the
State Program.

Sec. 4 PERMIT TERM - This permit becomes effective on February 8, 1991, and expires on February 8, 1996.

Sec. 5 ASSIGNMENT OF PERMIT RIGHTS - The permit rights may not be transferred, assigned or sold without the approval of the Director, Division. Transfer, assignment or sale of permit rights must be done in accordance with applicable regulations, including but not limited to 30 CFR 740.13{e} and R614-303-300.

Sec. 6 RIGHT OF ENTRY - The permittee shall allow the authorized representative of the Division, including but not limited to inspectors, and representatives of the Office of Surface Mining Reclamation and Enforcement (OSM), without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay to:

(a) have the rights of entry provided for in 30 CFR 840.12, R614-400-220, 30 CFR 842.13 and R614-400-110;

(b) be accompanied by private persons for the purpose of conducting an inspection in accordance with R614-400-100 and R614-400-200 when the inspection is in response to an alleged violation reported to the Division by the private person.

Sec. 7 SCOPE OF OPERATIONS - The permittee shall conduct underground coal mining activities only on those lands specifically designated as within the permit area on the maps submitted in the approved plan and approved for the term of the permit and which are subject to the performance bond.

Sec. 8 ENVIRONMENTAL IMPACTS - The permittee shall take all possible steps to minimize any adverse impact to the environment or public health and safety resulting from noncompliance with any term or condition of the permit, including, but not limited to:

(a) Any accelerated or additional monitoring necessary to determine the nature and extent of noncompliance and the results of the noncompliance;

(b) immediate implementation of measures necessary to comply; and

(c) warning, as soon as possible after learning of such noncompliance, any person whose health and safety is in imminent danger due to the noncompliance.

Sec. 9 CONDUCT OF OPERATIONS - The permittee shall conduct its operations:

- (a) in accordance with the terms of the permit to prevent significant, imminent environmental harm to the health and safety of the public; and
- (b) utilizing methods specified as conditions of the permit by the Division in approving alternative methods of compliance with the performance standards of the Act, the approved Utah State Program and the Federal Lands Program.

Sec. 10 EXISTING STRUCTURES - As applicable, the permittee will comply with R614-301 and R614-302 for compliance, modification, or abandonment of existing structures.

Sec. 11 RECLAMATION FEE PAYMENTS - The operator shall pay all reclamation fees required by 30 CFR Part 870 for coal produced under the permit, for sale, transfer or use.

Sec. 12 AUTHORIZED AGENT - The permittee shall provide the names, addresses and telephone numbers of persons responsible for operations under the permit to whom notices and orders are to be delivered.

Sec. 13 COMPLIANCE WITH OTHER LAWS - The permittee shall comply with the provisions of the Water Pollution Control Act (33 USC 1151 et seq.) and the Clean Air Act (42 USC 7401 et seq), UCA 26-11-1 et seq, and UCA 26-13-1 et seq.

Sec. 14 PERMIT RENEWAL - Upon expiration, this permit may be renewed for areas within the boundaries of the existing permit in accordance with the Act, the approved Utah State Program and the Federal Lands Program.

Sec. 15 CULTURAL RESOURCES - If during the course of mining operations, previously unidentified cultural resources are discovered, the permittee shall ensure that the site(s) is not disturbed and shall notify the Division. The Division, after coordination with OSM, shall inform the permittee of necessary actions required. The permittee shall implement the mitigation measures required by Division within the time frame specified by Division.

Sec. 16 APPEALS - The permittee shall have the right to appeal as provided for under R614-300-200.

The above conditions (Secs. 1-16) are also imposed upon the permittee's agents and employees. The failure or refusal of any of these persons to comply with these conditions shall be deemed a failure of the permittee to comply with the terms of this permit and the lease. The permittee shall require his agents, contractors and subcontractors involved in activities concerning this permit to include these conditions in the contracts between and among them. These conditions may be revised or amended, in writing, by the mutual consent of the Division and the permittee at any time to adjust to changed conditions or to correct an oversight. The Division may amend these conditions at any time without the consent of the permittee in order to make them consistent with any federal or state statutes and any regulations.

THE STATE OF UTAH

By: Dianne R. Nielson

Date: 2-8-91

I certify that I have read, understand and accept the requirements of this permit and any special conditions attached.

[Signature]
Authorized Representative of
the Permittee

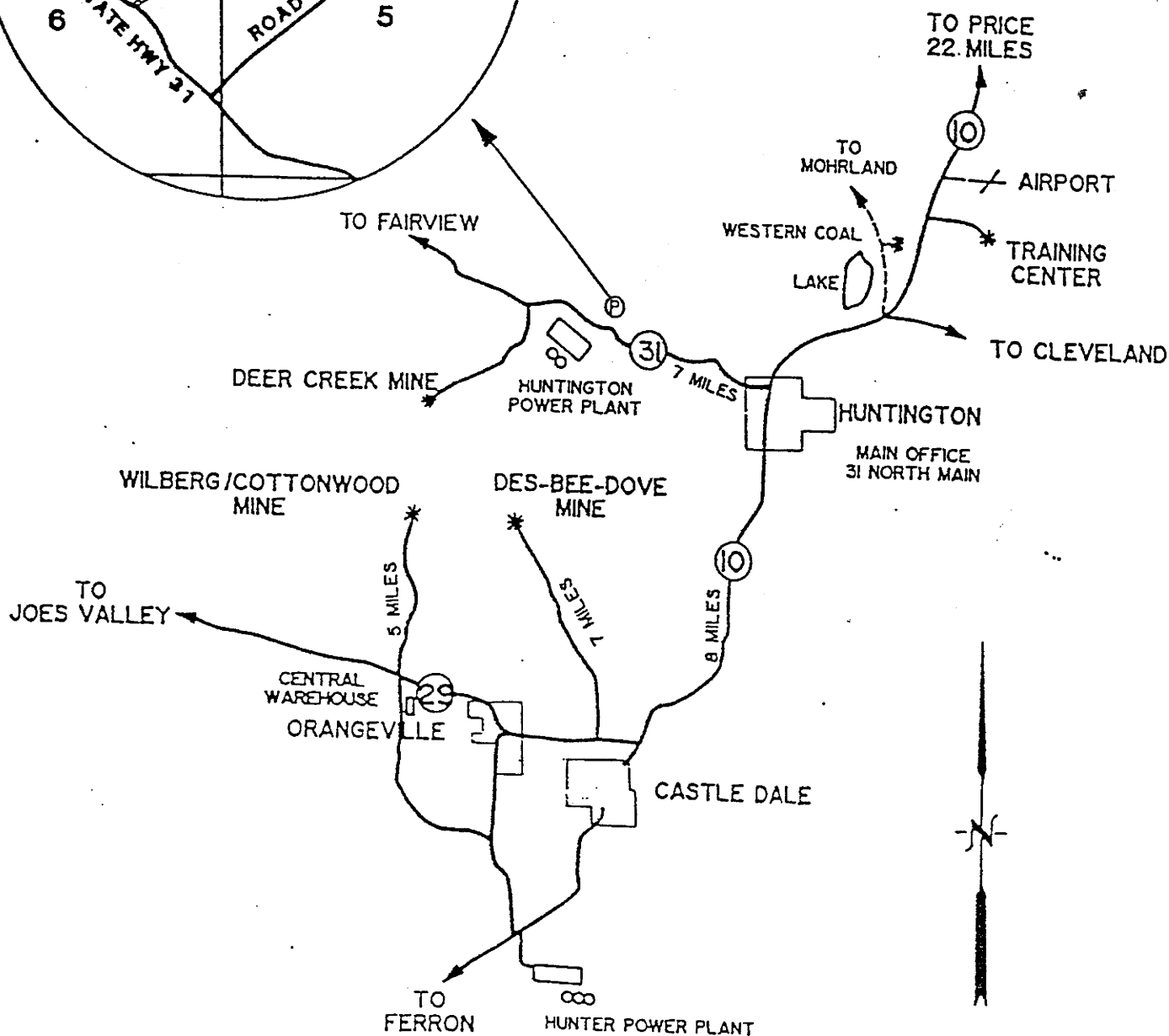
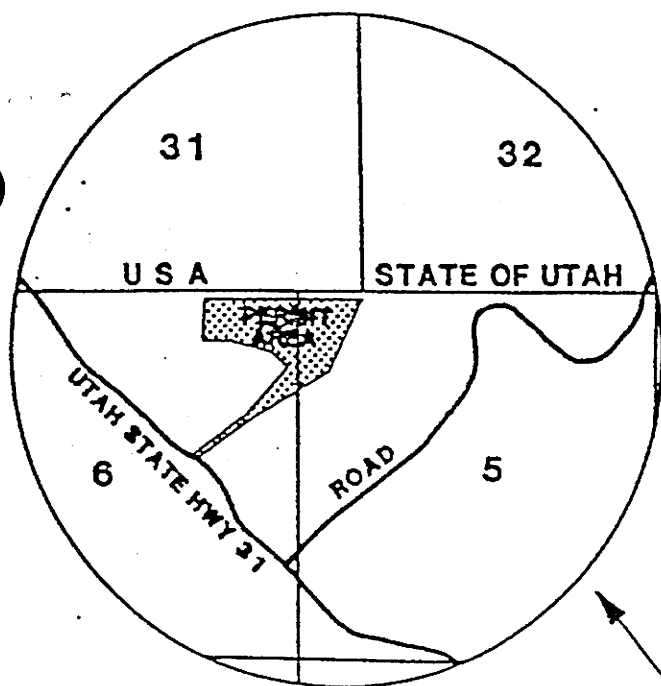
Date: 2-15-91

APPROVED AS TO FORM:

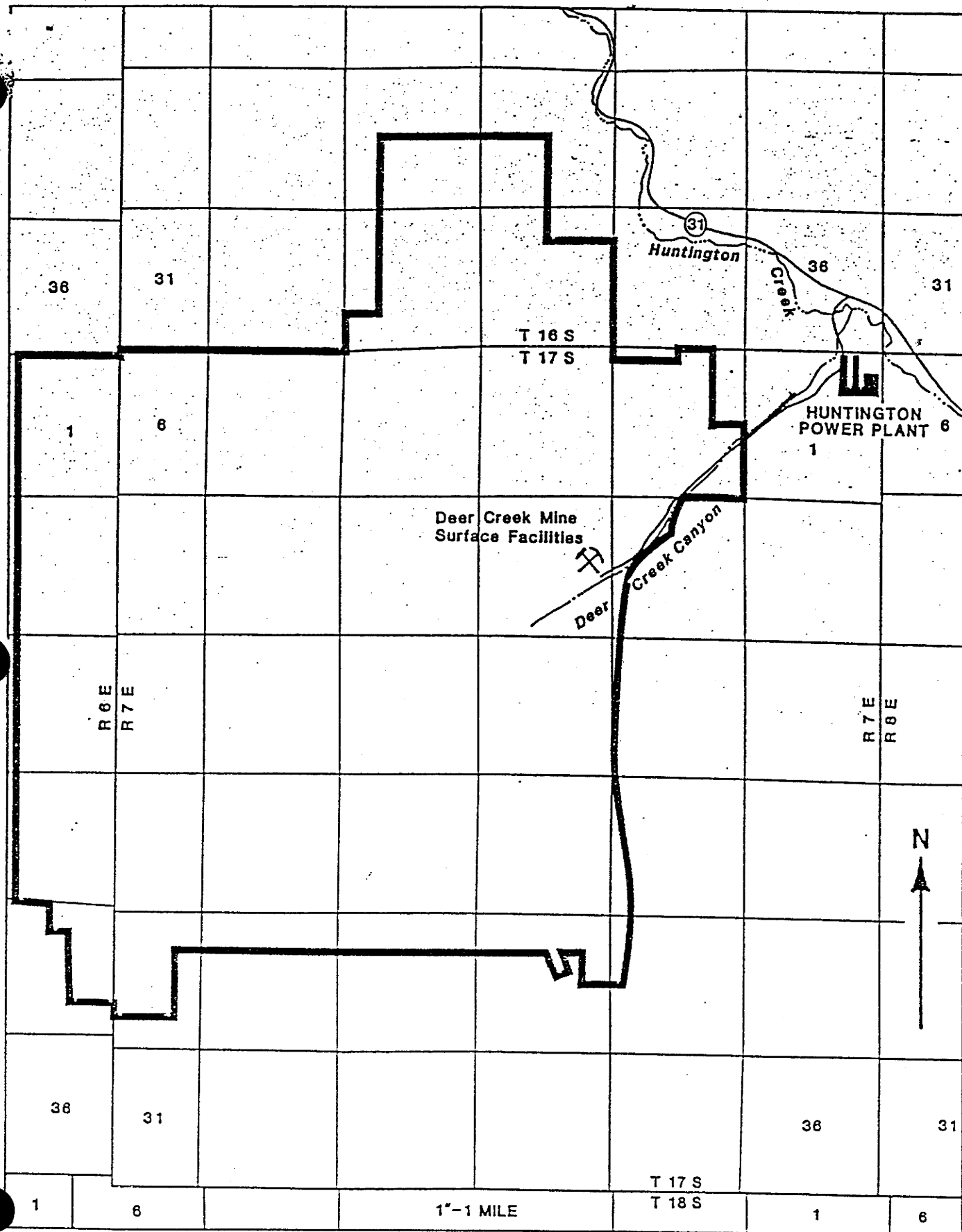
By: [Signature]
Assistant Attorney General

Date: 2/11/91

A:\DCPERMIT.F



WASTE ROCK DISPOSAL SITE DEER CREEK MINE LOCATION MAP



Deer Creek Mine Permit Area

Attachment A



Norman H. Bangerter

Governor

Dee C. Hansen

Executive Director

Dianne R. Nielson, Ph.D.

Division Director

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

355 West North Temple

3 Triad Center, Suite 350

Salt Lake City, Utah 84180-1203

801-538-5340

January 25, 1991

1 ~

Dear Mr. 2 ~:

Re: Determination of Completeness, Five-Year Permit Renewal, Utah Power and Light Company (PacifiCorp Electric Operations), Deer Creek Mine, ACT/015/018, Folder #3, Emery County, Utah

The Utah Division of Oil, Gas and Mining determined the five-year permit renewal application for the Deer Creek Mine to be administratively complete on December 6, 1990. Notice was given to all appropriate agencies in accordance with R614-300-121.300 of the Utah Coal Mining Reclamation Act in a letter of that date. The permit area described was in error and this letter is corrected for your information. This information was published four consecutive times ending January 8, 1991.

The area to be mined is contained on the USGS 7.5-minute "Red Point", "Rilda" and "Mahogany Point" quadrangle maps. The approximately 14,500 acres contained in the current permit area involve all or part of the following federal and fee coal leases:

Lease No. SL-064607-064621

Issued to Clara Howard Miller 10/4/46

Township 17 South, Range 7 East, SLM, Utah

Containing 613.92 acres

Section 2: Lots 2, 5, 6, 7, 10, 11 and 12 and SW1/4

Section 3: SE1/4 SE1/4

Section 10: NE1/4

Lease No. SL-064900

Issued to Cyrus Wilberg 2/3/45

Township 17 South, Range 7 East, SLM, Utah

Containing 160 acres

Section 22: SE1/4 SW1/4, SW1/4 SE1/4, NE1/4 SW1/4, NW1/4 SE1/4

Lease No. U-1358

Issued to Castle Valley Mining Co. 8/1/67

Township 17 South, Range 7 East, SLM, Utah

Containing 320 acres

Section 22: S1/2 NW1/4, W1/2 SW1/4, E1/2 SE1/4

Section 27: E1/2 NE1/4

Lease No. SL-070645, U-02292

Issued to Clara Howard Miller 4/1/52

Township 17 South, Range 7 East, SLM, Utah

Containing 2560 acres

Section 4: SW1/4 SE1/4, S1/2 SW1/4

Section 5: SE1/4 SW1/4, S1/2 SE1/4

Section 8: E1/2, E1/2 W1/2

Section 9: All

Section 10: W1/2

Section 15: N1/2

Section 16: N1/2

Section 17: NE1/4, E1/2 NW1/4

Lease No. U-084923

Issued to Malcolm N. McKinnon 8/1/64

Township 17 South, Range 7 East, SLM, Utah

Containing 2252.42 acres

Section 4: Lots 2, 3, 4, 5, 6, 7, 10, 11, 12, NW1/4 SE1/4, N1/2 SW1/4

Section 5: Lots 1 thru 12, N1/2 S1/2, SW1/4 SW1/4

Section 6: Lots 1 thru 11, SE1/4

Section 7: Lots 1 thru 4, E1/2

Section 8: W1/2 W1/2

Section 18: Lots 1 and 2, N1/2

Section 17: W1/2 NW1/4

Lease No. U-084924

Issued to Malcolm N. McKinnon 8/1/64

Township 17 South, Range 6 East, SLM, Utah

Containing 1211.48 acres

Section 1: Lots 1, 2, 3, S1/2 NE1/4, SE1/4 NW1/4, E1/2 SW1/4, SE1/4

Section 12: E1/2, E1/2 W1/2

Section 13: NE1/4, E1/2 NW1/4

Lease No. U-083066
Issued to Cooperative Security Corp. 3/1/62
Township 17 South, Range 6 East, SLM, Utah
Containing 2485 acres

Section 13: E1/2 SW1/4, SE1/4
Section 24: E1/2 W1/2, E1/2
Section 25: N1/2 NE1/4

Township 17 South, Range 7 East, SLM, Utah

Section 17: SW1/4, W1/2 SE1/4
Section 18: Lots 3 and 4, SE1/4
Section 19: Lots 1, 2, 3, 4, E1/2
Section 20: W1/2, W1/2 E1/2
Section 29: NW1/4 NE1/4, N1/2 NW1/4
Section 30: Lots 1, 2, 3, N1/2 NE1/4, SW1/4 NE1/4, NW1/4 SE1/4

Lease No. U-040151
Issued to Cooperative Security Corp. 3/1/62
Township 17 South, Range 7 East, SLM, Utah
Containing 1720 acres

Section 15: SW1/4
Section 16: S1/2
Section 17: E1/2 SE1/4
Section 20: E1/2 E1/2
Section 21: All
Section 22: N1/2 NW1/4
Section 27: N1/2 NW1/4
Section 28: N1/2 N1/2
Section 29: NE1/4 NE1/4

Lease No. U-044025
Issued to Cooperative Security Corp. 8/1/60
Township 17 South, Range 7 East, SLM, Utah
Containing 40 acres

Section 27: NW1/4 NE1/4

Lease No. U-024319
Issued to Huntington Corp. 5/1/60
Township 16 South, Range 7 East, SLM, Utah
Containing 1040 acres

Section 27: SW1/4
Section 28: SE1/4

T16S, R7E, SLM, (Cont.)

Section 33: E1/2, E1/2 NW1/4, NE1/4 SW1/4, S1/2 SW1/4

Section 34: NW1/4, NW1/4 SW1/4

Lease No. U-014275

Issued to John Helco 10/1/55

Township 16 South, Range 7 East, SLM, Utah

Containing 80 acres

Section 28: E1/2 SW1/4

Lease No. U-47979

Issued to Utah Power & Light Co. 10/1/81

Township 16 South, Range 7 East, SLM, Utah

Containing 1,063.38 acres, more or less

Section 34: S1/2 NE1/4, NE1/4 SW1/4, S1/2 SW1/4, SE1/4

Township 17 South, Range 7 East, SLM, Utah

Section 3: Lots 1 thru 8, 10 thru 12, SW1/4, SW1/4 SE1/4

Section 4: Lots 1, 8, 9, E1/2 SE1/4

OWNERS OF COAL TO BE MINED OTHER THAN THE UNITED STATES

The Estate of Malcom McKinnon

Zions First National Bank, Trustee, Salt Lake City, Utah 84111

Township 17 South, Range 7 East, SLM, Utah

Section 10: SE1/4

Section 11: W1/2 W1/2, NE1/4 NW1/4

Section 14: W1/2 NW1/4

Cooperative Security Corp.

115 East South Temple, Salt Lake City, Utah 84111

Township 17 South, Range 7 East, SLM, Utah

Section 15: SE1/4

Section 22: NE1/4

Also:

Beginning at the SE corner of NE1/4 SE1/4 Section 25, T17S, R6E, SLM,
thence North 160 rods, West 116 rods to center line of Cottonwood Creek;
thence southerly along center line of said creek to a point 84 rods West of
the beginning; thence East 84 rods to the beginning.

The above listed surface rights and coal owned or leased by PacifiCorp Electric
Operations, successor in interest to Utah Power & Light Company.

PacifiCorp Electric Operations
324 South State, PO Box 26128, Salt Lake City, Utah 84126-0128
Township 17 South, Range 7 East, SLM, Utah
Section 14: SW1/4 (West of the Deer Creek Fault)

ADDITIONAL LANDS TO BE AFFECTED BY MINING

Township 17 South, Range 7 East, SLM, Utah
State of Utah Special Use Lease Agreement No. 284 utilized for conveyor and power line right-of-ways located in the southeast quarter of Section 2


Township 17 South, Range 8 East, SLM, Utah
PacifiCorp fee land (successor to Utah Power & Light Company) utilized for a Waste Rock Disposal Site located within Lots 4 and 5 of Section 5 and Lot 1 and the Southeast quarter of the Northeast quarter of Section 6

Comments on the Permit Application Package must be received by February 7, 1991 and may be addressed to the Director:

Dr. Dianne R. Nielson, Director
Division of Oil, Gas and Mining
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

For further information, please contact: Lowell P. Braxton, Associate Director or Pamela Grubaugh-Littig, Permit Supervisor, at the above address.

Sincerely,


Pamela Grubaugh-Littig
Permit Supervisor

✓ Mr. Timothy H. Provan, Director
Utah Division of Wildlife Resources
1596 West North Temple
Salt Lake City, Utah 84116

✓ Mr. Brent Bradford, Assistant Director
Utah Department of Health
Division of Environmental Health
P.O. Box 16700
Salt Lake City, Utah 84116-0700

✓ Mr. Max J. Evans, Director
Utah Division of State History
300 Rio Grande
Salt Lake City, Utah 84101

✓ Mr. Robert L. Morgan, State Engineer
Utah Division of Water Rights
Utah Department of Natural Resources
1636 West North Temple
Salt Lake City, Utah 84116

✓ Mr. Peter A. Rutledge, Chief
Division of Federal Programs
Western Field Operations
Office of Surface Mining
Brooks Towers, 1020 15th Street
Denver, Colorado 80202

✓ Mr. Robert H. Hagen, Director
Office of Surface Mining
Reclamation and Enforcement
Albuquerque Field Office
Suite 310, Silver Square
625 Silver Avenue, S.W.
Albuquerque, New Mexico 87102

✓ Mr. Clark Johnson, Field Supervisor
U.S. Fish and Wildlife Service
Ecological Services
2060 Administration Building
1745 West 1700 South
Salt Lake City, Utah 84104-5110

✓ Mr. George Morris, Forest Supervisor
U.S. Forest Service
Manti-LaSal National Forest
599 West Price River Road
Price, Utah 84501

✓ Mr. Dick Mitchell, Director
Division of State Lands and Forestry
3 Triad Center, Suite 400
355 West North Temple
Salt Lake City, Utah 84180-1204

✓
Mr. Bill Howell
Southeastern Utah Association of
Local Governments
P.O. Box A-I
Price, Utah 84501

✓
Mr. Randy Heuscher, Chief
Mining Law & Solid Minerals
Bureau of Land Management
P.O. Box 45155
324 South State Street, Suite 301
Salt Lake City, Utah 84145-0155

✓
Mr. Gene Nodine, District Manager
Bureau of Land Management
P.O. Box 970
82 East Dogwood
Moab, Utah 84532

✓
Mr. Bryant Anderson
Emery County Planning & Zoning
P.O. Box 297
Castle Dale, Utah 84513

✓
Mr. Ben Grimes
North Emerey Water Users Association
P.O. Box 418
Elmo, Utah 84521



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter
Governor
Dee C. Hansen
Executive Director
Dianne R. Nielson, Ph.D.
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

January 16, 1991

Mr. Blake Webster
Permitting Administrator
PacifiCorp Electric Operations
Fuel Resources
324 South State Street
P.O. Box 26128
Salt Lake City, Utah 84126-0128

B. Webster

Dear Mr. Webster:

Re: Successive Renewal, Utah Power and Light Company (PacifiCorp Electric Operations), Deer Creek Mine, ACT/015/018, Folder #2, Emery County, Utah

The mining permit for the Deer Creek Mine expires February 7, 1991. A renewal application for the Deer Creek Mine was submitted October 9, 1990. The current permit application package (PAP) approved February 7, 1986, was determined administratively complete December 6, 1990. We anticipate successive renewal of this permit on February 7, 1991.

This letter is to clarify that the reformatted application, submitted October 9, 1990, will be reviewed by the Division in the coming year. Comments from other agencies have been received at the Division (copies attached) and will be handled during the Division review of the reformatted application.

Thank you for your cooperation.

Sincerely,

Lowell P. Braxton

Lowell P. Braxton
Associate Director, Mining

PGL/jbe
Attachments
cc: P. Grubaugh-Littig
AT015018.4

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Emery,)

I, Dan Stockburger, on oath, say that I am the Publisher of the
The Emery County Progress, a weekly newspaper of general cir-
culation, published at Castle Dale, State and County aforesaid,
and that a certain notice, a true copy of which is hereto attached,
was published in the full issue of such newspaper
for Four (4) consecutive issues, and that the first

publication was on the

18th day of December, 1990

and that the last publication of such notice was in the issue of such
newspaper dated the

8th day of January, 1990

Dan Stockburger

Subscribed and sworn to before me this

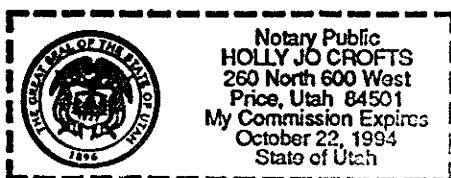
8th day of January, 1990

Holly Jo Crofts
Notary Public.

My Commission expires October 22, 1994

Residing at Price, Utah

Publication fee, \$ 511.20



Notice

PacifiCorp Electric Operations, (successor in interest to Utah Power & Light Company), 324 South State, PO Box 26128, Salt Lake City, Utah 84126-0128, hereby announces its intent to file an application to renew its Coal Mining Permit ACT/015/018 for the Deer Creek Mine with the Division of Oil, Gas and Mining under the laws of the State of Utah and the Office of Surface Mining.

A copy of the complete application is available for public inspection at the Emery County Recorder's Office, Emery County Courthouse, Castle Dale, Utah 84513.

Written comments on the application should be submitted to the State of Utah, Division of Oil, Gas and Mining, 355 West North Temple, 33 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

The area to be mined is contained on the USGS 7.5-minute "Red Point", "Rilda" and "Mahogany Point" quadrangle maps.

The approximately 14,500 acres contained in the permit area involve all or part of the following federal and fee coal leases:

Lease No. SL-064607-064621

Issued to Clara Howard Miller 10/4/46

Section 2 Lots 2, 5, 6, 7, 10, 11 and 12 and SW1/4

Section 3 SE1/4SE1/4

Section 10 NE1/4

Township 17 South, Range 7 East, SLM, Utah, containing 613.92 acres.

Lease No. SL-064900

Issued to Cyrus Wilberg 2/3/45

Section 22 SE1/4SW1/4, SW1/4SE1/4, NE1/4SW1/4, NW1/4SE1/4

Township 17 South, Range 7 East, SLM Utah containing 160 acres.

Lease No. U-1358

Issued to Castle Valley Mining Co. 8/1/67

Section 22 S1/2NW1/4, W1/2SW1/4, E1/2SE1/4

Section 27 E1/2NE1/4

Township 17 South, Range 7 East, SLM Utah, containing 320 acres.

Lease No. SL-070645, U-02292

Issued to Clara Howard Miller 4/1/52

Section 4 SW1/4SE1/4, S1/2SW1/4

Section 5 SE1/4SW1/4, S1/2SE1/4

Section 8 E1/2, E1/2W1/2

Section 9 All

Section 10 W1/2

Section 15 N1/2

Section 16 N1/2

Section 17 NE1/4, E1/2NW1/4

Township 17 South, Range 7 East, SLM Utah, containing 2560 acres.

Lease No U-084923

Issued to Malcolm N. McKinnon 8/1/64

Section 4 Lots 2, 3, 4, 5, 6, 7, 10, 11, 12, NW1/4SE1/4, N1/2SW1/4

Section 5 Lots 1 thru 12, N1/2S1/2, SW1/4SW1/4

Section 6 Lots 1 thru 11, SE1/4

Section 7 Lots 1 thru 4, E1/2

Section 8 W1/2W1/2

Section 18 Lot 1 and 2, N1/2

Section 17 W1/2NW1/4

Township 17 South, Range 7 East, SLM, Utah containing 2252.42 acres.

Lease No. U-084924

Issued to Malcolm N. McKinnon 8/1/64

Section 1 Lots 1, 2, 3, S1/2NE1/4,

SE1/4NW1/4, E1/2SW1/4, SE1/4

Section 12 E1/2, E1/2W1/2

AFFIDAVIT

NW1/4
6 East, SLM Utah, containing

urity Corp. 3/1/62
SE1/4
1/2

re 6 East, SLM Utah
2SE1/4
4, SE1/4
4, E1/2

E1/2
1, N1/2NW1/4,
1, N1/2NE1/4,
1/4

7 East, SLM Utah, containing

urity Corp. 3/1/62

7 East, SLM Utah, containing

urity Corp. 8/1/60

7 East, SLM Utah, containing

poration 5/1/60

W1/4, NE1/4SW1/4,

1/4SW1/4

7 East, SLM Utah, containing

4/55

Subsc 7 East, SLM Utah, containing

Light Company 10/1/81.
NE1/4SW1/4, S1/2SW1/4,

re 7 East, SLM Utah
12, SW1/4, SW1/4SE1/4
E1/2SE1/4

7 East, SLM Utah, containing

EMINED OTHER THAN THE

1/2, NE1/4NW1/4 Section 11;
5, T17S, R7E, SLM.

alcom McKinnon, Zions First
t Lake City, Utah 84111.

Section 22; All T17S, R7E, SLM.
urity Corp., 115 East South
ah 84111.

OCTOBER 22, 1994
State of Utah

Also:

Beginning at the SE corner of NE1/4SE1/4 Section 25, T17S, R6E, SLM, thence North 160 rods, West 116 rods to center line of Cottonwood Creek; thence southerly along center line of said creek to a point 84 rods West of the beginning; thence East 84 rods to the beginning.

The above listed surface rights and coal owned or leased by PacifiCorp Electric Operations, successor in interest to Utah Power & Light Company.

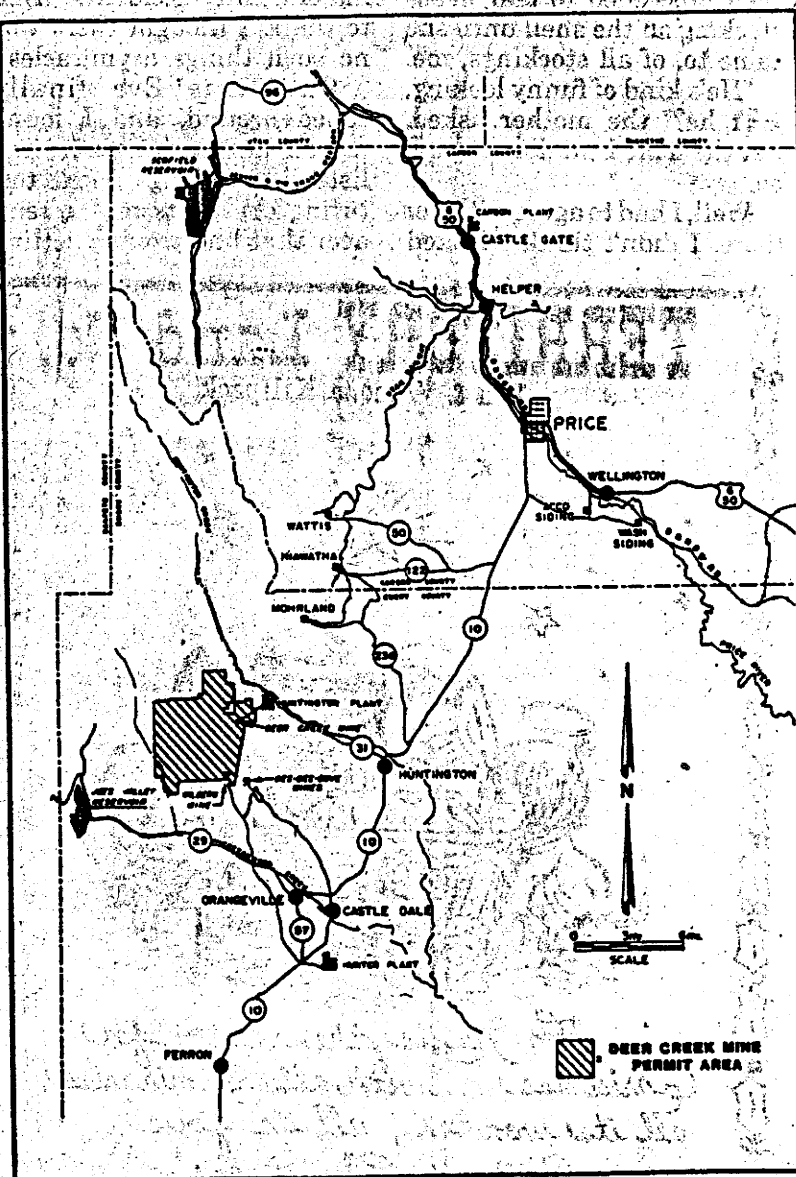
Description of Land:

SW1/4 (west of the Deer Creek Fault; Section 14; All T17S, R7E, SLM.

Owner: PacifiCorp Electric Operations, 324 South State, PO Box 26128, Salt Lake City, Utah 84126-0128.

ADDITIONAL LANDS TO BE AFFECTED BY MINING
State of Utah Special Use Lease Agreement No. 284 utilized for conveyor and power line right-of-ways located in the southeast quarter of Section 2, T17S, R7E, SLM.

PacifiCorp fee land (successor to Utah Power & Light Company) utilized for a Waste Rock Disposal Site located within Lots 4 and 5 of Section 5 and Lot 1 and the southeast quarter of the northeast quarter of Section 6, T17S, R8E, SLM.



Published in the Emery County Progress December 18, 25, 1990, January 1 and 8, 1991.

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Township 17 South, Range 7 East, SLM Utah containing 160 acres.

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Section 15 N1/2

Section 16 N1/2

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Township 17 South, Range 7 East, SLM Utah, containing 2560 acres.

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Issued to Malcolm N. McKinnon 8/1/64

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Section 5 Lots 1 thru 12, N1/2S1/2, SW1/4SW1/4

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Section 8 W1/2W1/2

Section 18 Lot 1 and 2, N1/2

Section 17 W1/2NW1/4

Township 17 South, Range 7 East, SLM, Utah containing 2252.42 acres.

Lease No. U-084924

Issued to Malcolm N. McKinnon 8/1/64

Section 1 Lots 1, 2, 3, S1/2NE1/4,

SE1/4NW1/4, E1/2SW1/4, SE1/4

Section 12 E1/2, E1/2W1/2

Section 13 NE1/4, E Township 17 South, Ra: 1211.48 acres.

Lease No. U-083066

Issued to Cooperative

Section 13 E1/2SW1

Section 24 E1/2W1/2

Section 25 N1/2NE1

Township 17 South, R

Section 17 SW1/4, V

Section 18 Lots 3 a

Section 19 Lots 1, 2

Section 20 W1/2, W

Section 29 NW1/4N1

Section 30 Lots 1, 2

SW1/4NE1/4, NW1/4

Township 17 South, Ra: 2485 acres.

Lease No. U-040151

Issued to Cooperative

Section 15 SW1/4

Section 16 S1/2

Section 17 E1/2SE1/

Section 20 E1/2E1/2

Section 21 All

Section 22 N1/2NW1

Section 27 N1/2NW1

Section 28 N1/2N1/2

Section 29 NE1/4NE

Township 17 South, Ra: 1720 acres.

Lease No. U-044025

Issued to Cooperative

Section 27 NW1/4NE

Township 17 South, Ra: 40 acres.

Lease No. U-024319

Issued to Huntington

Section 27 SW1/4

Section 28 SE1/4

Section 33 E1/2, E1/

S1/2SW1/4

Section 34 NW1/4, 1

Township 16 South, Ra: 1040 acres.

Lease No. U-014275

Issued to John Helco

Section 28 E1/2SW1

Township 16 South, Ra: 80 acres.

Lease U-47979

Issued to Utah Power

Section 34 S1/2NE1

SE1/4

Township 16 South, R

Section 3 Lots 1-8,

Section 4 Lots 1, 8,

Township 17 South, Ra: 1,063.38 acres, more or OWNERS OF COAL TO UNITED STATES

Description of Land:

SE1/4 Section 10; W1/ W1/2NW1/4 Section 14;

Owner: The Estate of National Bank, Trustee,

Description of Land:

SE1/4 Section 15; NE1/

Owner: Cooperative S Temple, Salt Lake City,

PUBLICATION

that I am the Publisher of the
weekly newspaper of general cir-

State and County aforesaid,

copy of which is hereto attached,

issue of such newspaper

utive issues, and that the first

day of December, 1990

notice was in the issue of such

day of January, 1990

and sworn to before me this

day of January, 1990

Notary Public.

22, 1994

Notary Public
HOLLY JO CROFTS
260 North 500 West
Price, Utah 84501
My Commission Expires
October 22, 1994
State of Utah

County of Emery,)

I, Dan Stockburger, on d

The Emery County Progress

culatation, published at Cast

and that a certain notice, a

was published in the

for Four (4) _____ c

publication was on the

and that the last publication

newspaper dated the

Subsc

My Commission expires _____

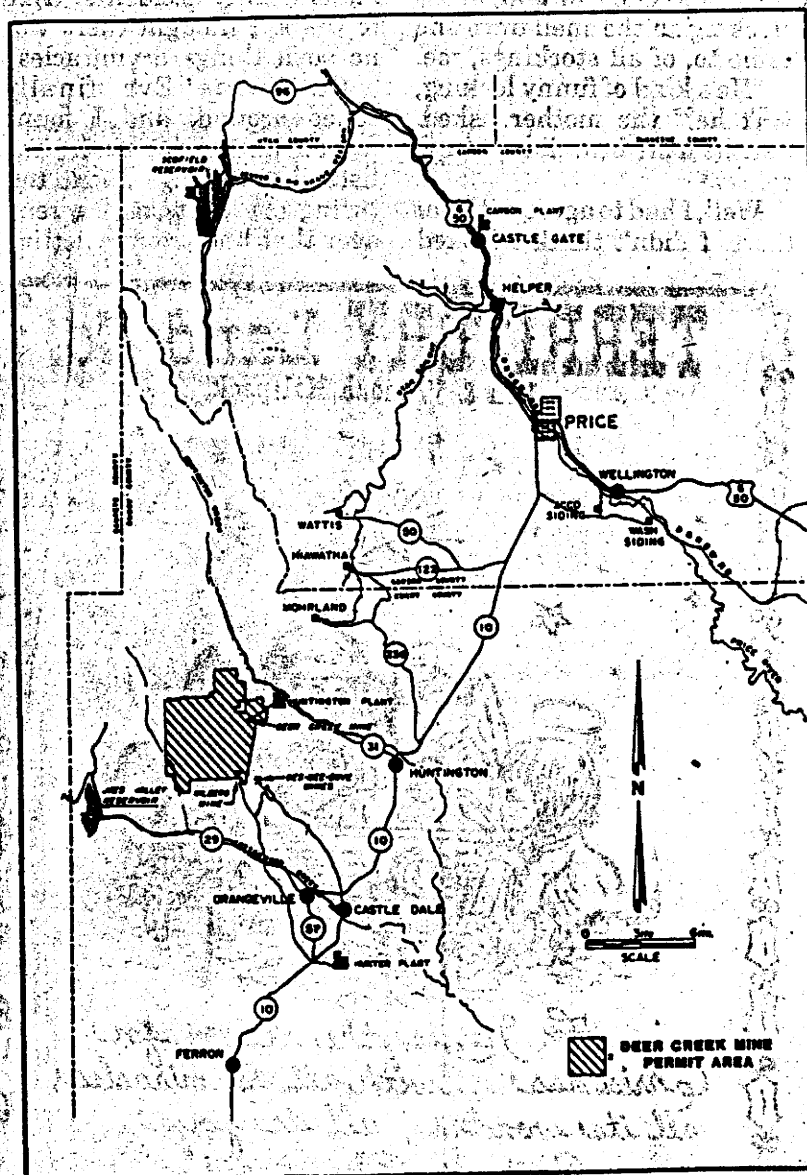
Residing at Price, Utah

Publication fee, \$

Section 22; All T17S, R7E, SLM.
 Priority Corp., 115 East South
 84111.

October 22, 1994
State of Utah

PacifiCorp fee land (successor to Utah Power & Light Company) utilized for a Waste Rock Disposal Site located within Lots 4 and 5 of Section 5 and Lot 1 and the southeast quarter of the northeast quarter of Section 6 T17S, R8E, SLM.



Published in the Emery County Progress December 18, 25, 1990, January 1 and 8, 1991.



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter

Governor

Dee C. Hansen

Executive Director

Dianne R. Nielson, Ph.D.

Division Director

355 West North Temple

3 Triad Center, Suite 350

Salt Lake City, Utah 84180-1203

801-538-5340

December 6, 1990

Mr. Blake Webster
Permitting Administrator
PacifiCorp Electric Operations
Fuel Resources
P. O. Box 26128
Salt Lake City, Utah 84126-0218

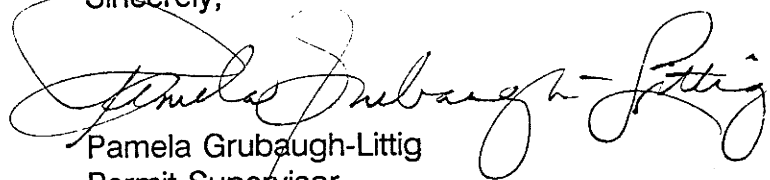
Dear Mr. Webster:

Re: Determination of Completeness, Five-Year Permit Renewal, PacifiCorp Electric Operations (UP&L), Deer Creek Mine, ACT/015/018, Folder #3, Emery County, Utah

The permit renewal application for the Deer Creek Mine is administratively complete.

Upon receipt of this letter, PacifiCorp Electric Operations (UP&L) must publish an advertisement in the Emery County Progress and the Newspaper Agency Corporation, providing all information as required under R614-300-121.100. A notarized Proof of Publication should be sent to the Division following the consecutive four-week advertisement period.

Sincerely,



Pamela Grubaugh-Littig
Permit Supervisor

jbe

cc: R. Hagen, OSMRE, Albuquerque
L. Braxton, DOGM

AT015018.3



United States Department of the Interior

OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
SUITE 310

625 SILVER AVENUE, S.W.
ALBUQUERQUE, NEW MEXICO 87102

November 30, 1990

*Big Mine file
route through
cc Pam Greenberg
12/10/90*

**TAKE
PRIDE IN
AMERICA**

Copy to "A" Team

In Reply Refer To:

DEC 03 1990

DIVISION OF
OIL, GAS & MINING

Dr. Dianne R. Nielson, Director
Division of Oil, Gas and Mining
Department of Natural Resources
3 Triad Center, Suite 350
355 West North Temple
Salt Lake City, UT 84180-1203

Re: Deer Creek Renewal Application and Related Mines

Dear Dr. Nielson:

The Albuquerque Field Office (AFO) has reviewed the permit application package (PAP) for renewal of the Deer Creek Mine and has the following comments:

The PAP indicates that Utah Power and Light (UPL) merged with and into PacifiCorp in January 1989. If this is the case, it would be a change of the effective control of UPL's operations, and permit transfer procedures should have been followed. The Division of Oil, Gas and Mining (DOGM) should incorporate these procedures into the permit actions occurring at this time.

The PAP indicates that PacifiCorp is the applicant for the permit, and Energy West Mining is the operator of this mine, as well as the Cottonwood/Wilberg and Des-Bee-Dove mines. This is contrary to the renewal application for the Des-Bee-Dove Mine which stated that UPL was the operator. Please clarify this situation.

Prior to PacifiCorp becoming the permittee, all bonds need to be reissued indicating that PacifiCorp is the liable entity. Additionally, DOGM should seek clarification if leases have been assigned to the new permittee.

The Certificate of Insurance needs to be reviewed for format and content. UPL should be replaced by the new permittee's name, and missing information such as type of insurance, producing and providing companies, and actual amounts should be supplied.

Table 5.1 lists the nine alternative sediment control areas totaling 16.49 acres. The narrative should discuss why treatment of these areas has been determined to be the best technology for the situations and demonstrations made to show that effluent limits will be met. Installation and maintenance should also be explained.

Pages 3-45 and 3-46, indicate that the final reclamation of the Deer Creek channel is an experimental practice. Any experimental practice must be approved by the Secretary of the Interior prior to its inclusion in a permit. Please remove this proposal addressing the reclamation of Deer Creek until such time as application is made and approval is granted by the Office of Surface Mining Reclamation and Enforcement.


Deer Creek Waste Rock Disposal

AFO personnel, during random sample inspections of the waste rock site, have observed that different materials - waste rock, trommel screenings, and sediment pond dredgings, are being dumped separately and then compacted; this has the effect of creating cells of each material. Under certain conditions, this practice could compromise the integrity of the disposal area. The PAP states that the materials will be "thoroughly mixed" and compacted. Additionally, the stability analysis contracted by the company to determine the slope configurations necessary to obtain the mandated safety factor was based on the friction angle of the waste rock only. The safety factor would probably not be affected if the material is well-mixed due to the high percentage of waste rock and the fact that the trommel rock offsets the pond dredgings, but the safety factor does not apply to cells of the untested materials.

DOGM should ensure that the waste rock disposal area is used according to the narrative presented in the permit renewal package.

Please notify AFO of DOGM's proposed resolution of these permitting problems by ~~December 21, 1990~~. If you have any questions, please call Ms. Donna Griffin or me at (505) 766-1486.

Sincerely,



Robert H. Hagen, Director
Albuquerque Field Office